

## REMARKS

In the Office Action, claims 47-51 were allowed; and claims 1, 3-11, 13-20, 22-35, 39, 40 and 42-45 were rejected. Applicant thanks the Examiner for allowing claims 47-51.

By this Reply and Amendment, claims 1, 16, 26, 44 and 45 have been amended, claim 42 has been canceled without prejudice, and claims 1, 3-11, 13-20, 22-35, 39-40, 43-45 and 47-51 remain pending in the present application. The claim amendments are fully supported throughout the description and figures of the specification. No new matter has been added.

In the Office Action, claims 26-28 and 30-32 were rejected under 35 USC 102(e) as anticipated by the Merrill et al. reference, US Publication No.: 2004/0146415. This rejection is respectfully traversed, however amendments have been made to independent claim 26 as suggested by the Examiner.

The Merrill et al. reference describes a seal section 10 that can be located between a separate pump section 12 and a separate motor section 14. (See page 2, paragraph 0023). The seal section 10 comprises a lower head 40 having a fluid bypass conduit 50 and an internal fluid passageway 52. Fluid passageway 52 "communicates with an annular space that surrounds lower shaft 26 and also with lower bellows chamber 42." (See page 2, paragraph 0024). Accordingly, the Merrill et al. reference fails to disclose elements of the subject claims, and the rejection should be withdrawn.

The Merrill et al. reference fails to disclose or suggest elements of independent claim 26. By way of example, the Merrill et al. reference fails to disclose "providing the motive unit with a plurality of oil communication holes deployed at a nonzero angle with respect to the longitudinal axis such that the nonzero angle of the plurality of oil communication holes corresponds with an angle at which the motive unit is positioned relative to vertical during filling of the motive unit with oil" as recited in claim 26. The Merrill et al. reference also fails to disclose or suggest "delivering the motive unit to an oil production well as a single unit" as further recited in claim 26. Accordingly, the rejection of independent claim 26 under 35 USC 102 should be withdrawn.

Claims 27, 28 and 30-32 ultimately depend from amended, independent claim 26, and recite additional elements. Accordingly, the rejection of these claims also should be withdrawn.

In the Office Action, claims 39 and 40 were rejected under 35 USC 102(b) as anticipated by the Shilman reference, RU 2162272 C1. This rejection is respectfully, but strongly traversed.

The Shilman reference describes a combined electric motor 1 having a head 2 with a cable entry. The cable entry has a plug 5 whose body 6 is fastened to the head 2 at a plug receptacle 8. Within receptacle 8, a relief valve is constructed via a separate spring-loaded stem 16 or via a plug 17 placed in an opening 18. (See description and Figures 2, 3).

However, neither of these arrangements discloses or suggests using the "terminal block" as a movable member between "a sealed position and an open position" that enables fluid communication, as recited in independent claim 39. The movable terminal block is unique relative to the teachings of the cited document, because it greatly simplifies construction of the cable connection as opposed to using separate check valves and corresponding flow channels as described in the Shilman reference. In the Office Action, page 17, the Examiner states that he is "defining" item 16 in the Shilman reference as a terminal block. However, item 16 in the Shilman reference is not a terminal block and is described as a stem mounted within a plug body 6 and acted on by a spring. The Shilman reference provides no disclosure, teaching or suggestion as to how the spring-loaded stem 16 could be converted into a terminal block. Furthermore, Applicant questions the assertion in the Office Action that the Russian reference discloses the use of dielectric gaskets. Regardless, the cited reference fails to disclose or suggest elements of independent claim 39, and the rejection should be withdrawn.

Claim 40 directly depends from independent claim 39 and recites additional elements. Accordingly, the rejection of claim 40 also should be withdrawn.

In the Office Action, claims 1 3-5, 7, 8, 15-19, 25-31 and 33 were rejected under 35 USC 103(a) as unpatentable over the Shaw et al. reference, US Patent No.: 4, 667, 737, in view of the

McAnally reference, US Patent No.: 5,992,517. This rejection is respectfully traversed, however independent claims 1, 16 and 26 have been amended to clarify aspects of the claim language.

The Shaw et al. reference discloses a sealing apparatus that is used with a submersible motor. The sealing apparatus has a tubular housing assembly 10 attached to the top end of a conventional submersible electric motor housing 1. An end flange 1a on the conventional motor housing is mated with flange 10a of the tubular housing assembly 10. A motor shaft 1d is provided with splines 1e that engage corresponding splines of a coupling 2. However, the Shaw et al. reference does not disclose axially affixing a motor section shaft with a motor protection section shaft. (Although Applicant disagrees with the Examiner's characterization of axial as including transverse, the language suggested by the Examiner has been added to claim 1 to facilitate allowance of the subject claims.)

The Shaw et al. reference also discloses radial ports 41 positioned between the counter bore 40b and the exterior of tubular housing assembly 10, "thus permitting well fluids to surround the slinger 50 and the upper end of the sleeve bearing 42". (See column 3, lines 34-40). However, the Shaw et al. reference does not disclose or suggest lateral sand escape holes disposed above a protector section bearing. In fact, the Shaw et al. reference teaches the opposite by describing a structure that permits well fluids to surround the upper end of the sleeve bearing 42.

The McAnally reference is relied on as teaching bearing sleeves of polymer materials, and an indication is made in the Office Action that these are the same as self-lubricating bushings. Column 7, lines 24-25, of the McAnally reference is cited as supporting this assertion. (See Office Action, page 5, second paragraph). However, the McAnally reference states that crank journals 98, 100 and 102 may be polished stainless steel or "provided with a bearing sleeve of one of the aforementioned polymer materials" (see column 7, lines 24-25). Immediately prior to this description, a suitable material is described as nylon or molybdenum filled nylon and "adapted to be lubricated by water". (See column 7, lines 20-23).

The cited references, taken alone or in combination, fail to disclose, teach or suggest elements of the pending claims. For example, the references fail to disclose, teach or suggest a motive unit in which the motor section "comprises a motor section shaft and the motor protector section comprises a motor protection section shaft, the motor section shaft and the motor protector section shaft being axially affixed to each other with respect to a longitudinal axis of the motive unit" as recited in amended, independent claim 1. The references also fail to disclose, teach or suggest connecting a motor section shaft to a protector section shaft "to form an axially affixed connection"; or refilling the combined motor section and protector section "prior to delivery of the combined motor section and protector section to a wellbore location"; or "forming a protector section head with lateral sand escape holes disposed above a protector section bearing" as recited in amended, independent claim 16. Additionally, the references fail to disclose, teach or suggest "delivering the motive unit to an oil production well as a single unit" or "providing the motive unit with a plurality of oil communication holes deployed at a nonzero angle with respect to the longitudinal axis such that the nonzero angle of the plurality of oil communication holes corresponds with an angle at which the motive unit is positioned relative to vertical during filling of the motive unit with oil" as recited in amended, independent claim 26. Accordingly, no prima facie case of obviousness is established, and the rejection under 35 USC 103 should be withdrawn.

Claims 3-5, 7, 8, 15, 17-19, 25, 27-31 and 33 ultimately depend from one of the independent claims discussed above, and each claim recites additional elements. Accordingly, no prima facie case of obviousness can be established with respect to these dependent claims, and the rejection should be withdrawn.

In the Office Action, claims 6 and 20 were rejected under 35 USC 103(a) as unpatentable over the Shaw et al. reference in view of the McAnally reference and further in view of the Shilman reference, RU 2162272 C1. This rejection is respectfully traversed, however claim 6 depends from amended, independent claim 1, and claim 20 depends from amended, independent claim 16. The Shilman reference provides no additional disclosure that would obviate the deficiencies of disclosure in the Shaw et al. and McAnally references, as discussed above with

respect to the corresponding independent claims. Accordingly, no prima facie case of obviousness has been established, and the rejection should be withdrawn.

In the Office Action, claims 9-11, 22, 32 and 42-45 were rejected under 35 USC 103(a) as unpatentable over the Shaw et al. reference in view of the McAnally reference and further in view of the Kinsinger reference, US Patent No.: 6,091,175. This rejection is respectfully traversed, however claims 9-11, 22 and 32 ultimately depend from independent claims 1, 16 or 26, and recite additional elements. The Kinsinger reference provides no additional disclosure that would obviate the deficiencies of disclosure in the Shaw et al. and McAnally references, as discussed above. Accordingly, no prima facie case of obviousness is established with respect to these dependent claims, and the rejection should be withdrawn.

Independent claim 42 has been canceled without prejudice, and independent claim 43 remains pending. Claims 44 and 45 now depend from independent claim 43. As stated in the Office Action, the cited art fails to disclose a motive unit with a journal bearing having a replaceable sleeve "press fit onto the drive shaft with a tolerance ring" as recited in independent claim 43. (See Office Action, page 9, last paragraph). Official Notice was taken as to the obviousness of these elements. However, Applicant disagrees with the Official Notice and requests documented evidence in support of the Examiner's position or withdrawal of the rejection of independent claim 43 and its dependent claims.

In the Office Action, claims 13 and 34 were rejected under 35 USC 103(a) as unpatentable over the Shaw et al. reference in view of the McAnally reference and further in view of the Vandevier. reference, US Patent No.: 4,521,708. This rejection is respectfully traversed, however claims 13 and 34 depend from amended, independent claims 1 and 26, respectively, and recite additional elements. The Vandevier reference provides no additional disclosure that would obviate the deficiencies of disclosure in the Shaw et al. and McAnally references, as discussed above with respect to the corresponding independent claims. Accordingly, no prima facie case of obviousness has been established, and the rejection should be withdrawn.

In the Office Action, claims 14, 24 and 35 were rejected under 35 USC 103(a) as unpatentable over the Shaw et al. reference in view of the McAnally reference and further in view of the Howell et al. reference, US Patent No.: 6,602,059. This rejection is respectfully traversed, however claims 14, 24 and 35 depend from amended, independent claims 1, 16 and 26, respectfully, and recite additional elements. The Howell et al. reference provides no additional disclosure that would obviate the deficiencies of disclosure in the Shaw et al. and McAnally references, as discussed above with respect to the corresponding independent claims. Accordingly, no prima facie case of obviousness has been established, and the rejection should be withdrawn.

In the Office Action, claims 1, 3-5, 8, 9, 15 and 33 were rejected under 35 USC 103(a) as unpatentable over the Merrill et al. reference in view of the McAnally reference, US Patent No.: 5,992,517. This rejection is respectfully traversed, however independent claim 1 has been amended to clarify aspects of the claim language.

As discussed above, the Merrill et al. reference describes the conventional connection of submersible pumping components, such as submersible pumps, submersible motors, and seal sections. The reference provides no disclosure or teaching regarding axially affixed shaft sections to create a motive unit as a single device with a motor section and a motor protector section. By way of specific example, the Merrill et al. reference provides no disclosure or teaching regarding a motive unit in which the motor section "comprises a motor section shaft and the motor protector section comprises a motor protection section shaft, the motor section shaft and the motor protector section shaft being axially affixed to each other with respect to a longitudinal axis of the motive unit" as recited in amended, independent claim 1. The addition of the McAnally reference provides no further disclosure or teaching that would obviate the deficiencies of disclosure with respect to the Merrill et al. reference. Accordingly, no prima facie case of obviousness is established with respect to amended, independent claim 1 and the rejection should be withdrawn.

Remaining claims 3-5, 8, 9 and 15 ultimately depend from amended, independent claim 1, and recite additional elements. Accordingly, no prima facie case of obviousness is established

with respect to these dependent claims, and the rejection should be withdrawn. Claim 33 depends from amended, independent claim 26, and both independent claim 26 and its dependent claim 33 recite elements that are not disclosed or suggested by the cited references. Accordingly, no prima facie case of obviousness has been established, and the rejection should be withdrawn.

In the Office Action, claim 6 was rejected under 35 USC 103(a) as unpatentable over the Merrill et al. reference in view of the McAnally reference and further in view of the Shilman reference. This rejection is respectfully traversed, however claim 6 depends from amended, independent claim 1 and recites additional elements. The Shilman reference provides no additional disclosure that would obviate the deficiencies of disclosure in the Merrill et al. and McAnally references, as discussed above with respect to independent claim 1. Accordingly, no prima facie case of obviousness has been established, and the rejection should be withdrawn.

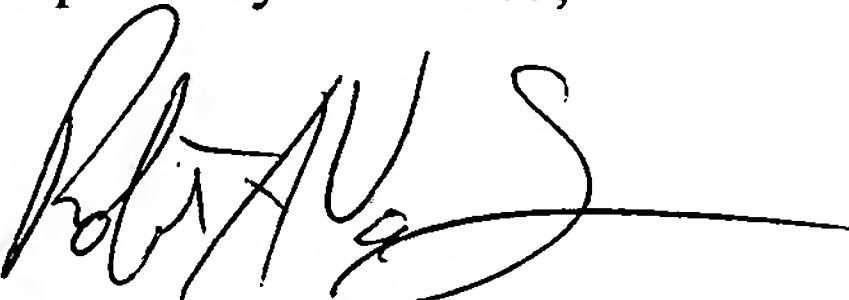
In the Office Action, claim 14 was rejected under 35 USC 103(a) as unpatentable over the Merrill et al. reference in view of the McAnally reference and further in view of the Howell et al. reference, US Patent No.: 6,602,059. This rejection is respectfully traversed, however claim 14 depends from amended, independent claim 1 and recites additional elements. The Howell et al. reference provides no additional disclosure that would obviate the deficiencies of disclosure in the Merrill et al. and McAnally references, as discussed above with respect to independent claim 1. Accordingly, no prima facie case of obviousness has been established, and the rejection should be withdrawn.

In the Office Action, claim 29 was rejected under 35 USC 103(a) as unpatentable over the Merrill et al. reference. This rejection is respectfully traversed, however claim 29 ultimately depends from amended, independent claim 26 and recites additional elements. The Merrill et al. reference provides no additional disclosure to that discussed above which would establish a prima facie case of obviousness with respect to independent claim 26 or its dependent claim 29. Accordingly, the rejection should be withdrawn.

In the Office Action, claim 35 was rejected under 35 USC 103(a) as unpatentable over the Merrill et al. reference in view of the Howell et al. reference. This rejection is respectfully traversed, however claim 35 ultimately depends from amended, independent claim 26 and recites additional elements. The Howell et al. reference provides no additional disclosure that would obviate the deficiencies of disclosure in the Merrill et al. reference, as discussed above with respect to independent claim 26. Accordingly, no prima facie case of obviousness has been established, and the rejection should be withdrawn.

In view of the foregoing remarks, the pending claims should be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,



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